

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

PETER J. MESSITTE  
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE  
GREENBELT, MARYLAND 20770  
301-344-0632

MEMORANDUM

TO: Counsel of Record

FROM: Judge Peter J. Messitte

RE: Fakhri v. Marriott International Hotels, Inc.  
Civil No. PJM 14-840

DATE: November 17, 2014

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On November 12, 2014 the Court received from Plaintiff Fakhri a Supplemental Memorandum pursuant to the Parties' Joint Expert Discovery Plan (Paper No. 37). Defendant Marriott filed a Response on November 13, 2014 (Paper No. 38).

In his Supplemental Memorandum, Fakhri requests that the Court allow him to submit an additional Rule 44.1 Report authored by an expert witness other than Mr. Mouhib Maamari, the expert witness who authored Fakhri's original and supplemental Rule 44.1 Reports (Paper Nos. 16-1, 32). The Court **DENIES** this request.

Fakhri also requests that the Court allow him to submit fact statements of Lebanese counsel involved in the *Estephan for Agencies SAL v. Polar Mohr and Heidelberg Lebanon SARL* case. The Court also **DENIES** this request.

The Court notes that Marriott does not oppose Fakhri's submission of another supplemental Rule 44.1 Report, or the production of additional relevant treatises, case law, and other publically available documents addressing the state of tortious interference with contract under Lebanese law, including documents from the appellate record in *Estephan*.

The Court agrees with Marriott that, to the extent that Fakhri wishes to submit another supplemental Rule 44.1 Report, he should do so through his previously designated expert Mr. Maamari. To the extent that Mr. Maamari's scheduling conflict may render him unavailable to participate under the timelines specified by the Joint Expert Discovery Plan, the parties may move to amend the timelines set forth under the Plan.

Despite the informal nature of this ruling, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.

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/s/

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PETER J. MESSITTE  
UNITED STATES DISTRICT JUDGE

cc: Court File